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Security Council

Fifty-first Year

Provisional

3636th Meeting

Wednesday, 28 February 1996, 10 a.m.

New York

President:	Mrs. Albright	(United States of America)
Members:	Botswana	Mr. Legwaila
	Chile	Mr. Somavía
	China	Mr. Qin Huasun
	Egypt	Mr. Elaraby
	France	Mr. Dejammet
	Germany	Mr. Henze
	Guinea-Bissau	Mrs. Lopes da Rosa
	Honduras	Mr. Martínez Blanco
	Indonesia	Mr. Wisnumurti
	Italy	Mr. Fulci
	Poland	Mr. Wlosowicz
	Republic of Korea	Mr. Park
	Russian Federation	Mr. Ordzhonikidze
	United Kingdom of Great Britain and Northern Ireland	Mr. Gomersall

Agenda

Election of a member of the International Court of Justice (S/1996/51, S/1996/52 and Add.1, S/1996/53 and S/1996/133)

96-85218 (E)

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The meeting was called to order at 11.40 a.m.

Adoption of the agenda

The agenda was adopted.

Election of a member of the International Court of Justice (S/1996/51, S/1996/52 and Add.1, S/1996/53 and S/1996/133)

The President: I should like to recall that at its 3590th meeting, on 7 November 1995, the Security Council adopted resolution 1018 (1995), in which it decided that the election to fill the vacancy in the International Court of Justice should take place on 28 February 1996 at a meeting of the Security Council and at a meeting of the General Assembly at its fiftieth session.

This morning the Security Council and the General Assembly will proceed independently with the election, in accordance with the relevant provisions of the Statute of the Court, for the purpose of filling this vacancy. The list of candidates nominated by national groups and received by the Secretary-General within the required time for submission, that is, by 2 February 1996, is contained in document S/1996/52 and Add.1. Document S/1996/133 contains the name of a candidate nominated by a national group and received by the Secretary-General after 2 February 1996. Document S/1996/53 contains the curricula vitae of the candidates nominated by the national groups.

The Security Council also has before it, in document S/1996/51, a memorandum by the Secretary-General describing the present composition of the Court and setting out the procedure to be followed in the conduct of the election.

I should like to remind the Council that under Article 10, paragraph 1, of the Statute of the International Court of Justice,

> "Those candidates who obtain an absolute majority of votes in the General Assembly and in the Security Council shall be considered as elected."

The required majority in the Security Council is eight votes.

Article 15 of the Statute of the Court provides that

> "A member of the Court elected to replace a member whose term of office has not expired shall hold office for the remainder of his predecessor's term."

Accordingly, the member elected to fill the remainder of the term left vacant by the death of Judge Andrés Aguilar Mawdsley will serve until 5 February 2000.

The voting will be by secret ballot. When we proceed to the vote, members of the Council will receive a ballot paper containing the names of the candidates. No withdrawal will be accepted once the ballot papers have been distributed. However, it would be possible to withdraw between ballots. Members of the Council will be requested to place an "X" next to the name of the candidate for whom they wish to vote. Votes may be cast only for a candidate whose name appears on the ballot paper, and each elector may vote for only one candidate; otherwise, the ballot will be considered invalid. When a candidate has obtained the required majority, I shall notify the President of the General Assembly of the name of that candidate, and I shall request the Council to remain in session pending the receipt from the President of the General Assembly of the result of the voting in the Assembly.

I shall now draw lots to select two delegations to serve as tellers.

* * *

The President: The names of the delegations of Guinea-Bissau and Germany have been drawn. I therefore request each of them to appoint one member of their respective delegations to serve as teller.

At the invitation of the President, Mr. Welberts (Germany) and Mr. Sane (Guinea-Bissau) acted as tellers.

The President: May I take it that the Council is now ready to proceed with the election to fill the vacancy caused by the death of Judge Aguilar Mawdsley?

It is so decided.

The President: I would ask the Conference Officer to distribute the ballot papers.

Members of the Council should place an "X" in the box next to the name of the candidate for whom they wish to vote.

* * *

The President: I take it that all members of the Council have now voted, and I request the Conference Officer to collect the ballot papers.

All the ballot papers have been collected. I should like to remind the Council that, as we agreed during our consultations, the ballots will not be counted until it has been verified that the ballot papers in the General Assembly have been collected. The Council will remain in session pending the receipt of that information.

* * *

The President: I have now been informed that the ballot papers have been collected in the General Assembly. The counting of the ballots in the Security Council will begin. The tellers will now count the ballots. As agreed in our consultations, there will be two independent countings of the ballots, one by each teller.

* * *

The President: The result of the voting is as follows:

Number of ballot papers:	15
Number of invalid ballots:	0
Number of valid ballots:	15
Required majority:	8
Number of votes obtained:	
Mr. Gonzalo Parra-Aranguren	9
Mr. Julio A. Barberis	5
Mr. Francisco Villagran Kramer	1

The President: A single candidate, Mr. Gonzalo Parra-Aranguren has accordingly received the required majority of votes in the Security Council.

I shall communicate the results of the vote to the President of the General Assembly in writing. I request the Council to remain in session while we wait for the President of the General Assembly to inform the Council of the result of the voting in the Assembly.

* * *

The President: I should like to inform the members of the Council that I have just received from the President of the General Assembly the following letter:

> "I have the honour to inform you that, at the 101st plenary meeting of the General Assembly, held today for the purpose of electing one member of the International Court of Justice, the following candidate obtained an absolute majority of votes in the General Assembly: Mr. Gonzalo Parra-Aranguren."

As the Security Council and the General Assembly have agreed on the same candidate, the distinguished jurist Mr. Gonzalo Parra-Aranguren of Venezuela has been elected a member of the International Court of Justice for a term of office expiring on 5 February 2000.

I should like to congratulate Mr. Parra-Aranguren and wish him every success in the high office to which he has been elected. I should also like to thank the tellers for their assistance.

The Security Council has thus concluded its business for this meeting.

The meeting rose at 1.20 p.m.